(b) and (c) All Drugs have side effects depending upon their mechanism of action. Permission to conduct the clinical trial is given after reviewing the risk versus benefit aspects. The permission to conduct the trial is given in phases. Phase I is the trial when the drug is administered first time to the humans and in this phase mainly adverse effect of the drug is monitored and maximum tolerated dose is calculated. As per Drugs and Cosmetic Rules, the Phase I on molecules discovered outside the country is not permitted only repeat Phase I is permitted.

Permission to carry out Phase II, III and IV of the clinical trial is given only after scrutinizing the data of the earlier phases.

Apart from the regulatory approval of the ethics committees of the respective hospitals approve these trials. The reports of adverse events if any are submitted both to the ethics committees and regulatory authorities within 14 days. The subjects in the trial are enrolled in these trials only after their written informed consent which has an option to opt out of the trial without giving any reason. The regulatory authorities can terminate the trial at any time on the ground of any safety issues. The regulatory inspections of the clinical trials are also being initiated.

(d) No, Sir. Clinical Trials are being permitted in accordance with relevant provisions of Drug & Cosmetics Rules, 1940

(e) and (f) Do not arise.'

**Organ trade**

†2035. SHRI BALAVANT *ALIAS* BAL APTE:
SHRI SHREEGOPAL WAS:
SHRI VINAY KATIYAR:
SHRIMATI VIPLOVE THAKUR:
SHRI PYARELAL KHANDELWAL:
SHRI JAI PRAKASH AGGARWAL:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government are aware of the fact that the illegal trade of human organs is going on a large scale in the country especially in Delhi and the cities falling under the National Capital Region, Delhi;

†Original notice of the question was received in Hindi.

(b) if so, the details thereof alongwith the number of such cases during the last three years and the steps taken thereof;

(c) whether it is also a fact that evidences have been found connecting the Nithari incident of Noida with the trade of human organs;

(d) if so, whether Government are planning to take any action against the hospitals and doctors involved in such cases; and

(e) if so, the details thereof?

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAM DOSS): (a) and (d) Delhi Police has registered six cases of illegal trade of human organs for the year 2004,2005,2006 & 2007 (upto 28.02.2007). The detail of the cases is given in the enclosed Statement *(See* below).

(c) No such evidence has been found so far.

(d) and (e) Sale and purchase of human organs is already banned under the provisions of the Transplantation of Human Organs Act, 1994. The Appropriate Authorities appointed under Section 13 of the said Act by the Central and the State Governments, are empowered to investigate any complaints of breach of provisions the Act including those pertaining to sale and purchase of human organs. This Act already contains stringent provisions for punishing removal of human organs without authority and. for commercial dealings in human organs.

***Statement***

*Detail of Cases of Trafficking in Human Organs for the Year 2004, 2005, 2006 & 2007 (upto 28.2.2007)*

1. Case FIR No. 558, dated 06.06.2004 U/S 420/468/471/120-B IPC and 18/19/20 T.H.O. Act, PS. Con. Place, New Delhi: On 06.06.2004 Shri Kishor Kumar s/o Shri Tulsi Parsad r/o Shira Kothi, PS. Pakari Dayal, District Moti Hari (Bihar) reported that his kidney was got transplanted to one Smt. Bina Devi w/o Nilamber Barasik in Army R&R Hospital. He alleged that one Sanjay Bihari induced him to take treatment at Army R&R Hospital for his stomach pain and introduced him to one Nilamber Barasik, who in turn also similarly induced him. He further alleged that on the basis of forged and fabricated documents Nilamber Barasik and Sanjay Bihari by

showing him as brother of Smt. Bina Devi got transplanted his kidney to her. During the course of investigation of the case five accused persons were arrested. No hospital staff or doctor was found involved in this case. Charge sheet against four accused persons his been filed in the court and supplementary charge sheet against accused Nilamber Barasik is to be submitted in the court. Next date of hearing has been fixed for 20.03.2007.

2. Case FIR No. 190, dated 01.10,2004 u/s 18.19.20 Transplantation of Human Organs Act-1994, RS. Tuglak Road: Two persons Pawan, s/o Shri Budh Raj Govind Sahani r/o T-510 C 19 Hill Road, Baljit Nagar, Delhi and Govind@Govind Bahadur s/o Shri Madan Bahadur r/o footpath Marina Hotel Connaught Place, New Delhi were arrested on 01.10.2004. Pawan Sahani sold his one kidney to one Subhash Sharma for a sum of Rs. 2 lakhs and the transplantation took place in Kakkar Hospital at Amritsar, Punjab and Govind Bahadur sold his one kidney to one Sher Singh through an agent Rajinder Kaul for a sum of Rs. 40000/- and the transplantation took place in Appollo Hospital, Delhi. Both Pawan Sahani and Govind Bahadur were arrested in this case. During investigation it was revealed that the accused Subhash Sharma and Sher Singh had expired. The doctors/hospital authorisation committee were not a fault as no evidence came on record against them. The case has been sent to court for judicial verdict. Next date of hearing has been fixed for 19.03.2007.

3. FIR No. 373 Dated 30.09.2004 u/s 18.19.20 Transplantation of Human Organs Act P.S.M. Marg: SI Ajeet Kumar along with staff conducted a raid at Gate No. 6, RML hospital and arrested three persons namely Manoj, Satish and Kailash. The said persons were indulging in the business of sale-purchase of Human Organs. The accused were trying to catch some customer at RML hospital gate. Later on, three more persons Sanjay Kumar, Vinod Kumar and Shiv Kumar who were involved in the racket were also arrested. Gurmail Singh and Akalu Prasad, the recipients of kidney were also being charge sheeted along with on e Indirawati w/o Akalu Prasad as conspirator. So far no evidence has come up agaisnt any of the doctors. Sactions u/s 22 T.H.O. Act is awaited from Delhi Government. Further investigation is in progress.

4. FIR No. 250 Dated 01.10.2004 PS Pt. Street U/s 420 IPC & 18/19/20 T.H.O. Act: the above noted case was registered on the complaint of Shri Subhash Manchanda @ Tony S/o Shri Charan Singh R/o Nabi Karim,

New Delhi. He made a compaint before worthy Additional DCP/New Delhi District that he works in marrige parties as waiter and was having pain in his abdomen. Mostly he roams around Gurudwara Bangla Sahib, New Delhi. Three touts met him at Gurudwara Bangla Sahib and told him that his abdomen pain will be relieved upon by way of an operation and they can arrange for him free operation, if he is willing to get himself operated in the name of Sunil Srivastava. His operation took place some where in October 2003 at Noida Medicare Centre,' Noida. Later on, he came to know that his kidney was removed and transplanted to one Pooja Srivastava. Two of the touts Pratap Rao s/p Mata Badal Rao r/o 3-2/267, Vasundra Enclave, Partyam Apartment, Delhi and Vinod Kumar @ V.K. s/ o Rajender Singh r/o Village Ismilla, District Bulandsahar, U.P. were arrested. During investigation it was revealed that documents/affadavits funished for the perusal of authorisation committee are forged and fabricated one. Up till now, it has been revealed that they have perfomed the operation after taking proper authorisation from the Authorisation Committee. So far no evidence has come up against any of thet doctors. Challan against four accused persons Pratap Rao, Vinod Kumar, Pooja Srivastava and Pradeep Srivastava has been prepared.

5. FIR No. 186/04 dated 29.03.2004 u/s9(3)/18& 19 T.H.O. Act, 1994, PS Sarita Vihar, New Delhi: On 10.05.2003 Shri Ramakant Lal Das S/o Vishnu Kant Lal Dass lodged a complaint to police in which he stated that on 31.07.2000 two persons namely Mukul Mahto and Babban Mahto met him and lured him into job of Security Guard on a salary of Rs. 2500/- per month. After some time 4 persons forcibly took him and got him admitted to Apollo Hospital on 22.08.2000. Thereafter they made him to sign affidavit before the SDM on 24/8/2000 and readmitted him to the hospital. On 25.082000 his kidney was removed and he was sent to home on 06.09.2000 and paid nothing. The donor of kidney could not be traced while the receiver of kidney had died. Therefore the case has been sent untraced on 22.04.2005 and is pending in the Court of MM Patiala House, Delhi. The matter has been fixed for 17.05.2007 for final decision.

6. FIR No 465 dated 29.08.2006 u/s 120/420/468/471 IPC and18,19, 20 T.H.O. Act, 1994, PS Sarojini Nagar: One Mohd. Nazim S/o Salim R/o Jhuggi No. 3, Laxmi Bai Nagar (Permanent Resident of A-161, Taimur Nagar, Pahari No. 1, New Friend's Colony, New Delhi) complained that he decided to sell his kidney to meet his needs. For this purpose he contacted one Satish Kumar in Safdarjung Hospital, New Delhi who assured

to pay him Rs. 150000/- in lieu of his kidney. After a period of three days, Satish Kumar gave an advance of Rs. 20000/- to Mohd Nazim. After that Satish Kumar took him to Amritsar, where they met on Elqbal Mohd. One Dr. Sarin advised them to go to Prashant Nursing Home, Ranchi. After a period of two days, an operation was conducted at Prashant Nursing Home. After one week he came back to Delhi. Mohd. Nazim asked Satish and Kailash to pay the balance amount, but they refused to pay the balance amount and also abused him. Accused Satish Kumar S/o Madan Lal, R/o 194, Pilanji Village, Sarojini Nagar, New Delhi was arrested in this case. The case is pending trial in court since 27.102006.

**Female foeticide**

†2036. SHRI BRIJ BHUSHAN TIWARI:
SHRI MAHENDRA SAHNI:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the business of female foeticide has witnessed a rapid growth recently resulting a decline in sex ratio;

(b) if so, whether it is also a fact that no action is being taken against perpetrators of female foeticide due to lackadaisical attitude of the State Governments;

(c) if so, whether Government would taken any effective steps to stop it; and

(d) if so, the details thereof?

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMDOSS): (a) Over the period from 1991—2001, the sex ratio in the country increased from 927 females per thousand males to 933 per 1000. However, during the same period the child sex ratio (0-6 years) has declined from 945 to 927.

(b) to (d) Total number of ongoing Court/Police cases filed under Pre-conception and Pre-Natal Diagnostic Techniques (PC&PNDT) Act are 415. 58 ultrasound machines were seized/sealed as on 01 March 2007. Though most of the cases are for non-registration of the Centre/Clinics, 58 cases

†Original notice of the question was received in Hindi.